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SUBJECT: MUBARAK HEALTH RUMORS LEAD TO CRIMINAL CHARGES FOR
INDEPENDENT EDITOR

Classified By: DCM Stuart Jones for reason 1.4 (d).

¶1. (SBU) Summary: Reporting in the independent daily Al Dostour on rumors of President Mubarak's poor health have led to a criminal suit against its editor-in-chief, Ibrahim Eissa, in the Supreme State Emergency Criminal Court. The complaint, filed by State Security prosecution on September 11, 2007, charges Eissa with disturbing the peace and harming national economic interests as critics attribute the loss of \$350 million from the Egyptian stock market to the rumors. These charges came down simultaneously with the one-year prison sentence against four independent editors, including Eissa, in a previous, unrelated lawsuit. The rumors of Mubarak's ill-health, which were widespread through the Egyptian public and in the media in the second half of August, ignited intense speculation as the Egyptian media tried to determine the source, and the truth. In the current post-rumor environment, Egyptian media are grappling with why this became a crisis for the GOE, and who should be punished. There is also a larger debate on the reach of press freedom and a possible crackdown on the independent press. The debate has also focused on the need for greater transparency from the government in providing information, as evidenced by a lawsuit filed against the Minister of Information and the President's Chief of Staff. In all discussions, the role of the Muslim Brotherhood figures either prominently or as a subtext. End Summary.

¶2. (C) In early August, the tabloid Al-Badeel first suggested that Mubarak was ill, falsely citing Ambassador Ricciardone as the source. Soon thereafter, Ibrahim Eissa, chief editor of independent daily, Al Dostour, devoted several pages over a period of days, citing "inside sources" confirming Mubarak's serious health problems. Neither Mubarak nor his government-controlled media outlets refuted the rumors. The first government response came August 31 when the largest state-controlled daily, Al Ahram, published an exclusive statement from President Mubarak to the editor-in-chief. President Mubarak did not defend his health, but attacked the rumor-mill, claiming to know "the true source" of the rumor, without revealing it.

¶3. (SBU) Both state-controlled and independent press found fertile grounds for mutual attack. For the independent press, the government's failure to provide factual information regarding the president's health signaled lack of transparency and cover-up, giving ample space for speculation and rumor. For the state-financed press, which joined in printing the rumors, the quick spread of rumors without government verification signified the independent press's irresponsibility, lack of professional ethics and desire to serve the interests of "banned political groups." Some state-controlled papers asserted that the Muslim Brotherhood was behind the spread of the rumors - especially through the writings of Eissa. One state-financed paper asserted Ambassador Ricciardone used the rumor to divert attention

away from U.S. policy on Iran and Iraq, but printed a "near retraction" the next day. For the public, the proliferation of opposing voices and the delay in government response brought home a reality that succession is an outstanding and real issue, and one not sufficiently addressed.

¶4. (SBU) The debate between state-controlled media on the one hand and the opposition and independent media on the other turned into a larger debate on press freedom, the enforcement of a professional code of ethics, the need for greater transparency in information and a possible government crackdown on the independent press.

¶5. (SBU) The government has charged Al Dustour Editor Eissa with disturbing the peace and harming national economic interests as critics attribute the loss of \$350 million from the Egyptian stock market to the rumors. No stranger to the courtroom, Eissa has defended himself against two other lawsuits in the past year. His editorial policy is to constantly attack the government and the person, position and family of President Mubarak. His writing has pushed previous red lines regarding the presidency further out, giving editors more room to criticize; however, the personal nature of his attacks leaves even liberal journalists critical of Eissa. In past suits, Eissa has avoided jail time, but has paid large fines.

¶6. (SBU) The Higher Press Council, the legislative body responsible for issuing reports on the press, ruled his paper to be one of three "responsible" for the rumor. But this has no legal bearing on the case.

¶7. (SBU) The timing of the Higher Press Council report and the two new lawsuits are converging with the initial verdict and sentencing of a lawsuit initiated in January 2007 against

four independent editors (including Eissa) on charges of "maliciously publishing false news of the National Democratic Party" and "insulting and libeling the president of the NDP and its figures and symbols." The sentence was handed down on September 13, two days after state security prosecution referred Eissa to the state supreme emergency court for his alleged role in spreading the rumors, and two days before President Mubarak publicly defended his support of press freedom. The editors are faced with high bail and an appeal against the prison sentence.

¶8. (SBU) President Mubarak, in an exclusive interview with the independent weekly El Osbou (The Week), has firmly stated that while he "remains committed to the press's right to have full freedom, especially as freedom of expression and of the press have gained more ground than at any time before his presidency," he admonished journalists that "freedom comes with responsibility."

¶9. (C) COMMENT: The trend in Egypt over the past several years is greater freedom of the press. There has always been a clear red line against reporting on the Mubarak family, as Eissa learned a year ago. Even in this media-sluggish government, we are surprised that Mubarak's aides were so slow to squash the rumors about his health. It is also significant that the initial, half-hearted efforts to squash the rumor were ignored by the public, which appeared to enjoy the gossip more than the truth. The same could not be said for the markets, which reacted abruptly and negatively in a significant one-day slide which reportedly lost \$350 million in market capital. The episode is widely regarded in Cairo as a symptom of Mubarak's refusal to name a successor. It is not clear how the government views the episode, but Minister of Information Al Fikky, who failed to stir from his beachside retreat during the crisis, was both defensive and worried when he met with the Ambassador on September 12. END COMMENT.
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